

**REQUEST TO ESTABLISH DOCKET**  
(Please Type)

**ORIGINAL**

Date	November 15, 2002	Docket No.	021160-TI
1. Division Name/Staff Name:		Division of Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement/Isler			
3. OCR: Office of the General Counsel			
4. Suggested Docket Title: Cancellation by Florida Public Service Commission of IXC Certificate No. 7969 issued to Calpoint (Florida), LLC for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.			
5. Suggested Docket Mailing List (attach separate sheet if necessary)			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			
PSC\CCA010-C (Rev 10/01)			
Information Attached: 10/23/02 Transmission Verification Report, 10/23/02 Fax Cover Sheet, 2001 RAF return form for TJ584 and TX615, 08/27/02 letter, Order PSC-01-2225-PAA-TI, Applicant Acknowledgment Statement, 06/17/02 e-mail to Jackie Knight			

DOCUMENT RECEIVED DATE  
12584 NOV 15 02  
PSC-01-2225-PAA-TI CLERK

TRANSMISSION VERIFICATION REPORT

TIME : 10/23/2002 16:08  
NAME :  
FAX :  
TEL :

DATE, TIME	10/23 16:05
FAX NO./NAME	613104736582
DURATION	00:02:31
PAGE(S)	05
RESULT	OK
MODE	STANDARD ECM

faxed  
1) cover sheet  
2) 2001 RAF forms for  
TJ584 & TX615  
(4 pag.)

October 23, 2002

**STATE OF FLORIDA**



**PUBLIC SERVICE COMMISSION**

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

**TO:**

Myra Hoffman

VOICE: 310 477-5551, Ext. 153

FAX: 310 473-6582

**FROM:**

Paula Isler

Voice: (850) 413-6502

Fax: (850) 413-6503

**RE:**

Calpoint (Florida), LLC (TJ584 and TX615)

Dear Ms. Hoffman:

This is a follow up to our earlier voice mail messages. The 2001 Regulatory Assessment Fee return forms for both certificates are attached. Please complete them and return the forms, along with payment. If the company had no revenues, the total due for each certificate is \$67.00 (\$50.00 fee, \$12.50 penalty, and \$4.50 interest), or a grand total of \$134.00.

As information, the Regulatory Assessment Fee return forms are normally mailed each mid-December and payment and the forms are due by the following January 30<sup>th</sup> of each year. This means, the company should be receiving the 2002 Regulatory Assessment Fee return forms in a couple of months and payment will be due by January 30, 2003.

Let me know if you have any questions. Thanks,

Paula Isler  
Florida Public Service Commission

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

12/11/2001 TO 12/31/2001

TJ584-01-0-R  
 Calpoint (Florida), LLC  
 11755 Wilshire Blvd., Suite 1450  
 Los Angeles, CA 90025-1538

*cc: P. Isler*

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ 1

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ _____	\$ _____
2.	Access Services	_____	_____
3.	Private Line Services	_____	_____
4.	Leased Facilities & Circuits Services	_____	_____
5.	Miscellaneous Services	_____	_____
6.	<b>TOTAL Telephone Services</b>	\$ _____	\$ _____
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )	( _____ )
8.	<b>TOTAL REVENUES</b> For Regulatory Assessment Fee Calculation	_____	_____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	_____	_____
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
12.	<b>TOTAL AMOUNT DUE</b>	_____	\$ _____

\* These amounts must be intrastate only and must be verifiable.

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**

**CURRENT COMPANY STATUS**

- |   |                                   |  |
|---|-----------------------------------|--|
| <input type="checkbox"/> Facilities-Based Carrier   | <input type="checkbox"/> Reseller | <input type="checkbox"/> Call Aggregator |
| <input type="checkbox"/> Alternate-Operator Service | <input type="checkbox"/> Rebiller | <input type="checkbox"/> Other: _____    |

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

_____ (Name)	_____ (Address: City/State/Zip)	_____ (Telephone)
What is the total amount of customer deposits collected? Amount: \$ _____ for 19 _____	What is the total amount of bond held (if applicable)? Amount: \$ _____ Expires: _____	

**COMPANY INFORMATION**

Do you lease telecommunications' facilities?  YES  NO

If YES, who do you lease these facilities from? Name: \_\_\_\_\_

Address: \_\_\_\_\_

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

_____ (Signature of Company Official)	_____ (Title)	_____ (Date)
_____ (Preparer of Form - Please Print Name)	Telephone Number ( _____ )	Fax Number ( _____ )
F.E.I. No. _____		

# Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:  
12/11/2001 TO 12/31/2001

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX615-01-0-R  
 Calpoint (Florida), LLC  
 11755 Wilshire Blvd., Suite 1450  
 Los Angeles, CA 90025-1538  
 cc: P. Isler

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603006  
003001

\$ \_\_\_\_\_ P  
0603006  
004011

\$ \_\_\_\_\_ 1

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
 (Name of Company) (Address) (City/State) (Zip)

LINE NO	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (IntraLATA)**	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	TOTAL REVENUES		\$ _____
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		_____
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		_____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		_____
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	
13.	TOTAL AMOUNT DUE		\$ _____

\* These amounts must be intrastate only and must be verifiable.  
 \*\* Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

CURRENT COMPANY STATUS

( ) Facilities-Based Provider

( ) Reseller

( ) Other: \_\_\_\_\_

BILLING INFORMATION

Complete below if billing agent if other than yourself.

\_\_\_\_\_  
 (Name) (Address: City/State/Zip) ( )  
 (Telephone)

COMPANY INFORMATION

Do you lease telecommunications' facilities? ( ) YES ( ) NO

If YES, who do you lease these facilities from? Name: \_\_\_\_\_

Address: \_\_\_\_\_

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

\_\_\_\_\_  
 (Signature of Company Official) (Title) (Date)

\_\_\_\_\_  
 (Preparer of Form - Please Print Name) Telephone Number ( ) Fax Number ( )

F.E.I. No \_\_\_\_\_

# STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

August 27, 2002

Mr. Samuel M. Surloff, VP/General Counsel  
Calpoint (Florida), LLC (TJ584)  
11755 Wilshire Blvd., Suite 1450  
Los Angeles, CA 90025-1538

Dear Mr. Surloff:

As part of my job duties, I establish dockets to collect payment of the Regulatory Assessment Fees owed by certificated telecommunication companies. In reconciling the active certificates with the certificate holders that have not paid the Regulatory Assessment Fee, I found that payment of the 2001 Regulatory Assessment Fee has not been received from Calpoint (Florida), LLC.

According to our records, the company's certificate became active December 11, 2001. As information, if a certificate is active for any one day during a calendar year, the Regulatory Assessment Fee is applicable for that year. Enclosed is a copy of the Commission's Order granting the company's certificate, which states on page 3 that the Regulatory Assessment Fee is due each year.

Rule 25-4.0161(7)(d), Florida Administrative Code, provides that failure to receive a form by a telecommunications company shall not excuse it from its obligation to pay the fee timely. However, I have checked our records and found that the Commission did not mail your company a form. Therefore, before establishing a docket to fine Calpoint (Florida), LLC for nonpayment of the fee, I am enclosing the 2001 Regulatory Assessment Fee return form to allow the company an opportunity to pay the Regulatory Assessment Fee.

If payment is postmarked between August 29 and September 27, 2002, the total due is \$66.50 (\$50.00 fee, \$12.50 penalty, and \$4.00 interest). Please review this information and respond by September 17, 2002. If payment is not received by September 17<sup>th</sup>, I will have no choice but to establish the enforcement docket.

Mr. Samuel M. Surloff, VP/General Counsel  
Page 2  
August 27, 2002

In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us), or at the address below.

Sincerely,

A handwritten signature in black ink that reads "Paula J. Isler". The signature is written in a cursive style with a large initial "P" and a distinct "I".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide interexchange telecommunications service by X2Comm, Inc. d/b/a Direct Connect Communications.

DOCKET NO. 011180-TI

In re: Application for certificate to provide interexchange telecommunications service by Intertoll Communication Network Corporation.

DOCKET NO. 010550-TI

In re: Application for certificate to provide interexchange telecommunications service by Power-Finder West Communications, LLC.

DOCKET NO. 011212-TI

In re: Application for certificate to provide interexchange telecommunications service by Calpoint (Florida), LLC.

DOCKET NO. 011236-TI

In re: Application for certificate to provide interexchange telecommunications service by VirtualCom, Inc.

DOCKET NO. 011330-TI

In re: Application for certificate to provide interexchange telecommunications service by Phone1, Inc.

DOCKET NO. 011339-TI  
ORDER NO. PSC-01-2225-PAA-TI  
ISSUED: November 15, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

DOCUMENT NUMBER-DATE

14492 NOV 15 01

FPSC-COMMISSION CLERK



ORDER NO. PSC-01-2225-PAA-TI  
DOCKETS NOS. 011180-TI, 010550-TI, 011212-TI, 011236-TI,  
011330-TI, 011339-TI  
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NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING CERTIFICATES TO PROVIDE  
INTEREXCHANGE TELECOMMUNICATIONS SERVICES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

The entities listed below have applied for certificates to provide Interexchange Telecommunications (IXC) services. Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service, as required under Section 364.337(3), Florida Statutes. Accordingly, we hereby grant each of these entities the certificates depicted below, which shall authorize them individually to provide IXC services.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
X2Comm, Inc. d/b/a Direct Connect Communications	7963
Intertoll Communication Network Corporation	7964
Power-Finder West Communications, LLC	7968
Calpoint (Florida), LLC	7969
VirtualCom, Inc.	7972
Phonel, Inc.	7976

If this Order becomes final and effective, it will serve as each entity's certificate. Each entity should, therefore, retain this Order as proof of certification. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

IXC providers are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service

ORDER NO. PSC-01-2225-PAA-TI  
DOCKETS NOS. 011180-TI, 010550-TI, 011212-TI, 011236-TI,  
011330-TI, 011339-TI  
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Provided by Interexchange Telephone Companies. IXC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed each December to each of the entities listed above for payment in January. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice shall relieve any of these entities from its obligation to pay RAFs.

Based on the foregoing,

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide Interexchange Telecommunications services, subject to the terms and conditions stated in the body of this Order. It is further

ORDERED that this Order shall serve as each entity's certificate and should, therefore, be retained by these entities as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth

ORDER NO. PSC-01-2225-PAA-TI  
DOCKETS NOS. 011180-TI, 010550-TI, 011212-TI, 011236-TI,  
011330-TI, 011339-TI  
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in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, these dockets shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of November, 2001.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

AJT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

ORDER NO. PSC-01-2225-PAA-TI

DOCKETS NOS. 011180-TI, 010550-TI, 011212-TI, 011236-TI,  
011330-TI, 011339-TI

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The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 6, 2001.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

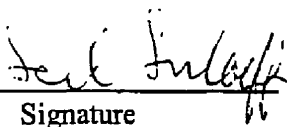
Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

**APPLICANT ACKNOWLEDGMENT STATEMENT**

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

Samuel M. Surloff  
Print Name

  
Signature

September 17, 2001  
Date

Vice President and General Counsel  
Title

(310) 274-6680  
Telephone No.

Address: 11755 Wilshire Boulevard, Suite 1450  
Los Angeles, CA 90025

(310) 274-6816  
Fax No.

**Paula Isler**

---

**From:** Paula Isler  
**Sent:** Monday, June 17, 2002 10:26 AM  
**To:** Jackie Knight  
**Subject:** RAF System

Hey, Jackie. This will follow up our conversation. The following companies have not been sent a 2001 RAF return form. As I mentioned on the phone, I printed out the payphone RAF forms (the TG company codes) and was going to send them out with a letter explaining the delay in sending out the notices. However, when I went back into the RAF System, it still showed "none" in the year field and there was no Payment History showing a form had been printed. Because of that, I do not believe it is proper for me to mail the forms to the companies. Please let me know what Fiscal decides. Thanks!

TG836  
TG845  
TG851  
TG853  
TG854  
TG857  
TJ508  
TJ531  
TJ565  
TJ574  
TJ577  
TJ579  
TJ581  
TJ583  
TJ584  
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TJ587  
TJ590  
TJ591  
TJ596  
TJ602  
TS192  
TX611  
TX613  
TX615  
TX617  
TX620  
TX666